

**Aberdeen Planning Commission Meeting
September 9, 2009**

The meeting of the Aberdeen Planning Commission was called to order at 7:00p.m. in the Council Chambers by Commissioner Swisher.

MEMBERS PRESENT: Commissioners Swisher, Tout, Landbeck, Kosko, and Schlottman

MEMBERS ABSENT: Commissioners Craig and Braerman

OTHERS PRESENT: Ms. Phyllis Grover, Director of Planning & Community Development
Mr. Matthew Lapinsky, Director of Public Works
Mr. Michael Hiob, City Council Liaison
Ms. Doris Manner, Recording Secretary

APPROVAL OF MINUTES:

The Minutes for the August 12, 2009, meeting were not available for review.

1. Review Revised Concept Plan – North Gate Business Park

Ms. Grover introduced Mr. Max Ryan with Corporate Office Property Trust. He stated the following: Building A is to be completed by the end of 2009; Building C construction will begin in the near future; Building B has an undetermined start date and is being considered for retail. The road will be realigned and other buildings could have some changes. The buildings have been improved for flow, green space, and a better campus setting. The buildings on the west side may have more flexibility, i.e., taller, lower, etc. The square footage and parking will be determined with the use of the buildings.

Commissioner Swisher asked the percentage of increase in the buildings. Mr. Ryan said a 10% increase would be possible for the 3 and 4 story buildings.

Mr. Kevin Small with Fred Ward Associates reported that the previous plan was approved last Fall including a 15% increase in square footage, 9 lots, and loop road. The storm water management facility will remain the same, square footage will increase, and the forest area will decrease by 1 acre. The square footage will be 890,000 not 765,000, the water requirement will be 80,000 gallons per day, the land swap is awaiting SHA approval, and the Plats for Lots A & C are holding for additional water information.

Ms. Grover said comments from Mr. Steve Wallis were received today and will be addressed. She asked that the property sewage pumping station be shown to the Commission. Mr. Steve Gorski with Fred Ward Associates complied.

Ms. Grover asked the total square footage of Phases 1 and 2. Mr. Small said Phase 1 would be 195,000 sq. ft. and Phase 2 would be 704,000 sq. ft.

Ms. Grover stated that the Planning Commission approved the Concept Plan at their meeting in September 2007 and the City Council approved the Concept Plan at their January 2008 meeting.

Ms. Grover said the building height would be 3 and/or 4 stories, not to exceed 50 ft. Mr. Small said the height restriction should be 60 ft.

Commissioner Swisher noted that the floor area was increased and asked if the parking had also increased. Mr. Small said the parking has increased to match the square footage.

Mr. Lapinsky asked if the water usage would be 80,000 gallons per day average or peak? Mr. Small said the MDE guideline was .09 gallons per square foot. Mr. Lapinsky said the design should be for peak data not average data. "DPW will provide comments at formal plan submittal."

Commissioner Kosko stated that Note 10 for the Preliminary Site Plan was approved by the City on March 6, 2009. Mr. Small said the Concept Plan was the next step.

Commissioner Schlottman asked if Lot B was designated for retail elements. Mr. Small said it was.

Mr. Hiob asked why Note 13 was on the Plan. Mr. Small said it was required. Mr. Lapinsky indicated that it must be present because the water has not yet been purchased.

Commissioner Swisher asked if the second entrance has been approved by the State. Mr. Gorski said it has Conceptual approval.

Commissioner Swisher asked if the storm water pond has increased or decreased. Mr. Gorski said it was redesigned and has increased in size.

A motion was made by Commissioner Kosko and seconded by Commissioner Tout to approve the Revised Concept Plan – North Gate Business Park to include Staff Comments.

The motion was passed with a vote of 5 – yes and 2 – absent.

Ayes: Commissioners Swisher, Landbeck, Kosko, Tout, and Schlottman

Absent: Commissioners Craig and Braerman

2. Review Revised Preliminary Subdivision Plan – North Gate Business Park

Mr. Kevin Small, with Fred Ward Associates noted that Lots A, B, and C have already been subdivided and are not included in this request.

Ms. Grover noted that Code requires access to a public street, required setback, etc. Sensor Road has been eliminated. Additionally, Lots E, F, G, and I need a building restriction line.

Mr. Small said buildings on Lots I and F have setbacks from the right of way as shown on the Preliminary Plan. Ms. Grover noted that the building on Lot H has a setback issue; Mr. Small stated that it fronts on a side yard.

Ms. Grover indicated that there must be an agreement between Aberdeen and COPT on the forestation area. Additionally, plantings should be checked.

Mr. Lapinsky submitted the following requirements:

- A. The proposed plantings in the existing Water Quality Facility – This area was planted with trees, shrubs, and wetland plants as part of the MDE Grant to build the Water Quality Facility
- B. SWM Facility (Pond 3) easement should extend into Lot H.
- C. Pumping Station located within the Reforestation Area, please relocate Pumping Station to Research Blvd R/W.
- D. Plan needs Fred Ward to sign, seal, and date.
- E. Owner's Signature Blocks are incorrect, please verify. (See Attached Check Print – 1st Review 9-8-09. PDF)
- F. New water use letter must be submitted.

Commissioner Kosko indicated that Code requires each lot to front on a public road; these will front on a court yard. She asked that this issue be addressed by reviewing the Code.

Commissioner Swisher asked who would maintain the road on the Concept Plan. Mr. Small said the road would be public. Commissioner Swisher noted that the roads to the other buildings would be private. Mr. Small said that was correct.

Commissioner Swisher stated that square footage on each lot and parking spaces must be accurate.

A motion was made by Commissioner Schlottman and seconded by Commissioner Kosko to approve the Revised Preliminary Subdivision Plan – North Gate Business Park with Staff Comments and written comments to the Recording Secretary.

The motion was passed with a vote of 5 – yes and 2 – absent.

Ayes: Commissioners Swisher, Landbeck, Kosko, Tout, and Schlottman

Absent: Commissioners Craig and Braerman

3. Update/discussion on Proposed Sectional Map Amendments, Phase II:

- A. MSB Squared at Hamilton Court, LLC, Old Post Road, Tax Map 204, Parcel 2280, 6.14 acres, existing B-1 zoning

Ms. Grover reported that the Planning Commission was briefed on these three properties at their August meeting. The first phase was adopted by the City Council at the August 24, 2009, meeting. This is the second phase. The area is surrounded by M-1 and B-3 zoning which consists of apartments, mobile homes, some City property, etc. There is no residential zoning within 1,000 ft. of the compost. The property was sold by the City to MSB Squared at Hamilton Court, LLC. A portion of the area will still be maintained by the City. There is a small corner which is owned by Aberdeen and could be sold at a later date. The Planning Commission is being asked to approve B-3 zoning for higher density.

Commissioner Landbeck said this area will not be developed in the typical B-3 manner.

Ms. Grover said the City needs SHA approval for some changes, she is recommending changing the zoning from B-1 to B-3.

Commissioner Kosko wants the zoning to remain B-1. She asked who requested the zoning change. Ms. Grover said the request came from the property owner. Commissioner Kosko mentioned that buffers are required along with setbacks.

Commissioner Landbeck favors keeping B-1 zoning.

Mr. Hiob agrees with Ms. Grover so that all of the area will be B-3 zoning to remain consistent. Residential and B-3 zoning are not unusual.

Mr. Tory Pierce with Fred Ward Associates showed the subject property along with surrounding areas. Property lines adjoin some City owned land. He noted that 3 ½ acres were part of the option agreement when 6 acres were purchased for development.

A motion was made by Commissioner Schlottman and seconded by Commissioner Kosko to change the zoning for MSB Squared at Hamilton Court, LLC, Old Post Road, Tax Map 204, Parcel 2280, 6.14 acres from B-1 to B-3 zoning.

The motion was not passed with a vote of 2 – yes, 3 – no, and 2 – absent.

Ayes: Commissioners Swisher and Schlottman

Nays: Commissioners Landbeck, Kosko, and Tout

Absent: Commissioners Craig and Braerman

- B. Aberdeen Products, Inc. 910 Old Philadelphia Road, Tax Map 58, Parcel 505, 21 acres, existing M-1 zoning

Ms. Grover said the request for rezoning was made by the existing property owners. Approval of this request would enable the business to be relocated. She recommends changing the zoning from M-1 to B-3.

A motion was made by Commissioner Landbeck and seconded by Commissioner Tout to change the zoning for Aberdeen Products, Inc., 910 Old Philadelphia Road, Tax Map 58, Parcel 505, 21 acres from M-1 to B-3 zoning.

The motion was passed with a vote of 5 – yes and 2 – absent.

Ayes: Commissioners Swisher, Tout, Landbeck, Schlottman, and Kosko

Absent: Commissioners Craig and Braerman

- C. Colony at Beards Hill, LLC, Parcel between Beards Hill Road and Route 22, Tax Map 202 Parcel 2864, 6.58 acres, existing B-3 and R-2 zoning.

Ms. Grover said the subject property is split zoned B-3 and R-2. She recommends leaving the existing zoning in place. The property is owned by Mr. Vickers and Mr. Salvo. She stated that no alignment was given.

Mr. Tory Pierce with Fred Ward Associates stated that the property is owned by the Colony at Beards Hill, LLC. It is 200 ft. wide and has R-2 zoning. The requested zoning change would facilitate development of Beards Hill Road. He indicated that the main focus is on three acres. The Transportation Plan Update suggests the extension of Middleton Road. Additionally, the buffer would remain in any event.

Commissioner Landbeck noted that a road would split the zoning.

Mr. Lapinsky indicated that in the future this would help extension of Middleton Road.

Commissioner Kosko said the zoning would still be split.

Commissioner Schlottman asked if split zoning is common in the City. Ms. Grover replied that the City has tried to “clean up” this issue over the years.

Mr. Hiob said if the zoning change accommodates the extension of Middleton Road he would favor the change.

Commissioner Kosko is reluctant to agree with the action because R-2 is not protected by a buffer. She would like to see a revision on the R-2 parcel.

A motion was made by Commissioner Schlottman and seconded by Commissioner Landbeck for the Colony at Beards Hill, LLC, Parcel between Beards Hill Road and Route 22, Tax Map 202, Parcel 2864, 6.58 acres, from existing B-3 and R-2 zoning be changed to B-3 zoning.

The motion was passed with a vote of 4 – yes, 1 – no, and 2 – absent.

Ayes: Commissioners Swisher, Landbeck, Tout, and Schlottman

Nays: Commissioner Kosko

Absent: Commissioners Braerman and Craig

4. Introduction and Presentation on the Preliminary Site Plan – Aberdeen Corporate Park

Aberdeen Corporate Park is being represented by Ms. Amy DiPietro and Ms. Megan Matheo with Morris Ritchie Associates. They introduced Mr. Dan Palis with Merit Properties. He stated that his organization began in 1967 and currently owns and maintains 50,000,000 sq. ft. of office, retail, etc. They are very considerate of tenants and surrounding neighbors. The company headquarters are located in Woodlawn, MD. The proposed eight buildings will represent a Class A corporate park. Currently, 2 and 3 story buildings are being considered. They will be Silver Leed buildings.

Ms. DiPietro said the property is located south of Rt. 22. It consists of 35 acres with trees and wetlands. There is split zoning which is B-3 throughout with a small area of R-2. An 8 inch sanitary sewer line exists on Bozarth Lane and the company is working with DPW on the capacity. They will tie into the Rt. 22 water service. The plan is for 45% of the site to stay in its natural site. The ground breaking is scheduled for early Spring 2010.

Ms. Grover asked what the building would be used for and said the City is looking forward to working with Merritt Properties. Mr. Palis has interest from defense contractors because of the closeness to I-95. If BRAC were not an issue the use would be legal, professional, financial services, etc. There could be some restaurant pads. No entrance is being considered for Rt. 22.

Ms. Grover recommends consulting with Target regarding ingress and egress. Mr. Palis said there is the possibility of cooperation on this issue.

Mr. Lapinsky has been working with this company for a while on storm water management. This request would be beneficial to the City and he looks forward to this project coming to fruition.

Commissioner Kosko asked the petitioners to look for a secondary entrance.

Commissioner Tour noted several attempts to use this property; he thinks this is the best he has seen.

Commissioner Schlottman asked if the project is in line for water when it is available. Mr. Lapinsky said an answer would be available September 21, 2009.

Commissioner Schlottman likes this proposal but asked where these people would live. The City must also consider residential development.

Mr. Hiob asked about the sewer service on Bozarth Lane. Mr. Lapinsky said MRA will get the data required to evaluate this line and the storm water information is being sent for a second review. Mr. Hiob indicated that this use would require low water use, there will be no school impact and will be good for the City tax base.

Commissioner Swisher asked if Aberdeen Corporate Park would own the project for a long time. Mr. Palis said his company keeps and maintains all of their properties.

Commissioner Swisher asked the difference in the land grade between this property and Target. Ms. DiPietro said there was a 5% - 5 ½% grade difference. Mr. Palis said the difference was only 7 ft. and would be on a gradual grade.

Commissioner Swisher asked if there are springs in the area. Mr. Palis said if there are the issue will be addressed.

Commissioner Swisher would like a double entrance and asked if Bozarth Lane could be used. Mr. Lapinsky said the City does not own the back portion of property.

The meeting was adjourned at 8:45p.m.

Planning Commission Chairman

Date

